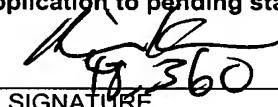



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| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET No. 1004501-000858 U.S. APPLICATION NO. (If known) 10/593,094 |
| INTERNATIONAL APPLICATION NO. PCT/CH2004/000157 | INTERNATIONAL FILING DATE 17 March 2004 | PRIORITY DATE CLAIMED |
| TITLE OF INVENTION DATA CONSISTENCY VALIDATION | | |
| APPLICANT(S) FOR DO/EO/US WERNER, Thomas, MEIER, Philip, VETTER, Claus and NAEDELE, Martin | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (Signed Declaration will follow) 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Copy of Notification of Defective Response | | |

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| U.S. APPLICATION NO. (If known) 10/593,094 | INTERNATIONAL APPLICATION NO. PCT/CH2004/000157 | ATTORNEY'S DOCKET NO. 1004501-000858 |
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|---|-------------------------------|---|---|------|--------------|----------|----------|----------------|--------------------|---|---------|-----------------|---|--|--|-----------------|--|--|
| The following fees have been submitted: | CALCULATIONS | PTO USE ONLY | | | | | | | | | | | | | | | | |
| 21. <input type="checkbox"/> Basic National fee (37 CFR 1.492(a)) (1631) \$ 300 | | | | | | | | | | | | | | | | | | |
| 22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) (1643) \$ 0 All other situations (1633) \$ 200 | | | | | | | | | | | | | | | | | | |
| 23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) (1640) \$ 0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority (1641) \$ 100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB (1642) \$ 400 All other situations (1632) \$ 500 | | | | | | | | | | | | | | | | | | |
| TOTAL OF 21, 22 AND 23 = | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Additional fee for specifications and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$ 250 (1681) for each additional 50 sheets of paper or fraction thereof. | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">Total Sheets</td> <td style="width:15%;">Extra Sheets</td> <td style="width:35%;">Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td style="width:35%;">RATE</td> </tr> <tr> <td>0</td> <td>-100 = 0</td> <td>/50 = 0</td> <td>x \$ 250</td> </tr> </table> | Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | 0 | -100 = 0 | /50 = 0 | x \$ 250 | | | | | | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | | | | | | | | | | | | | | |
| 0 | -100 = 0 | /50 = 0 | x \$ 250 | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Surcharge of \$ 130 (1617) for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:20%;">CLAIMS</td> <td style="width:15%;">NUMBER FILED</td> <td style="width:15%;">NUMBER EXTRA</td> <td style="width:50%;">RATE</td> </tr> <tr> <td>Total claims</td> <td>5</td> <td>- 20 = 0</td> <td>x \$ 50 (1615)</td> </tr> <tr> <td>Independent Claims</td> <td>1</td> <td>- 3 = 0</td> <td>x \$ 200 (1614)</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$ 360 (1616)</td> </tr> </table> | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | Total claims | 5 | - 20 = 0 | x \$ 50 (1615) | Independent Claims | 1 | - 3 = 0 | x \$ 200 (1614) | MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$ 360 (1616) | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | | | | | | | | | | | | | |
| Total claims | 5 | - 20 = 0 | x \$ 50 (1615) | | | | | | | | | | | | | | | |
| Independent Claims | 1 | - 3 = 0 | x \$ 200 (1614) | | | | | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$ 360 (1616) | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2 | | | | | | | | | | | | | | | | | | |
| SUBTOTAL = | | | | | | | | | | | | | | | | | | |
| Processing fee of \$ 130 (1618) for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | + | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | | | | | | | | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$ 40 per property | + | | | | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = | | | | | | | | | | | | | | | | | | |
| | Amount to be refunded: | \$ | | | | | | | | | | | | | | | | |
| | Amount to be charged: | \$ | | | | | | | | | | | | | | | | |

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| a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 02-4800 in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Charge \$ _____ to credit card. Form PTO-2038 is attached. | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | |
| SEND ALL CORRESPONDENCE TO: Customer No 21839 P.O. Box 1404 Alexandria, VA 22313-1404 703.836.6620 Date: <u>October 17, 2007</u> | |
|  _____ SIGNATURE |  _____ NAME |
| | 32858 _____ REGISTRATION NO. |



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/593,094 | Thomas Werner | 1004501-000858 |

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| INTERNATIONAL APPLICATION NO. | |
| PCT/CH04/00157 | |
| I.A. FILING DATE | PRIORITY DATE |
| 03/17/2004 | |

21839
 BUCHANAN, INGERSOLL & ROONEY PC
 POST OFFICE BOX 1404
 ALEXANDRIA, VA 22313-1404

CONFIRMATION NO. 7833

371 FORMALITIES LETTER



OC000000025849660

Date Mailed: 09/17/2007

URGENT**NOTIFICATION OF DEFECTIVE RESPONSE**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Copy of the International Application filed on 09/15/2006
- Copy of the International Search Report filed on 09/15/2006
- Preliminary Amendments filed on 09/15/2006
- Information Disclosure Statements filed on 12/15/2006
- Oath or Declaration filed on 05/10/2007
- U.S. Basic National Fees filed on 09/15/2006
- Assignment filed on 05/10/2007
- Power of Attorney filed on 05/10/2007
- Specification filed on 09/15/2006
- Claims filed on 09/15/2006
- Abstracts filed on 09/15/2006
- Drawings filed on 09/15/2006

1004501-000858
 PCK/NEW/GM
 Defective Resp Due 10/17/07

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| BUCHANAN INGERSOLL PC |
| SEP 18 2007 |
| DOCKETED 9-18-07 |

Applicant's response filed 05/10/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 03/14/2007 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - Declaration document appears to be a compilation of a number of separate declaration documents (the document includes one copy of the first page, two copies of the second page, one copy of the third page). "Where individual declarations are executed, they must be submitted as individual declarations rather than combined into one declaration." See MPEP 201.03 (II)(B)

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing

Rec'd by New Application
 or

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Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/593,094 | PCT/CH04/00157 | 1004501-000858 |

FORM PCT/DO/EO/916 (371 Formalities Notice)